

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 2:04-CR-80
)	
CHARLES TANNER,)	
)	
Defendant.)	

**ORDER REGARDING SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(C)(2)**

Upon a Motion of the Defendant for a sentence reduction under 18 U.S.C. § 3582(c)(2), as a result of Amendment 782 to the United States Sentencing Guidelines, made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 944(u); and having considered the existing record and the Government's response indicating no objection (DE #954), and taking into account the policy statement set forth at U.S.S.G. § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable, **IT IS ORDERED** that the Defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of life imprisonment on Counts 2 and 3, to be served concurrently, **is reduced to 360 months on Counts 2 and 3, to be served concurrently. If the amount of time the Defendant has served exceeds the reduced sentence stated in this Order, the sentence is reduced to a "Time Served" sentence.**

In the event that Defendant is eligible for release within ten days of the

date of this order, the Bureau of Prisons is directed to release Defendant as close to his scheduled release date as reasonably possible, but not later than ten days after the date of this order. This will enable to Bureau of Prisons to satisfy any of its duties including: (1) to notify victims and witnesses of the release of an offender as required by 18 U.S.C. § 3771; (2) to notify law enforcement officials and sex offender registration officials of the release of a violent offender or sex offender pursuant to 18 U.S.C. §§ 4042(b) and (c); and (3) to permit adequate time to collect DNA samples pursuant to 42 U.S.C. § 14135(a).

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to any departures)

Previous Offense Level: 44	Amended Offense Level: 42
Criminal History Category: I	Criminal History Category: I
Previous Guideline Range: life	Amended Guideline Range: 360 mo. to life

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

The previous term of imprisonment imposed was within the guideline range applicable to the Defendant at the time of sentencing. The reduced sentence is likewise within the amended guideline range.

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated May 27, 2009, shall remain in effect.

IT IS SO ORDERED.

DATED: January 26, 2016

**/s/ RUDY LOZANO, Judge
United States District Court**